

**Notice of Allowability**

Application No.

09/827,105

Examiner

Thomas K. Pham

Applicant(s)

OUZOUNIDIS ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 06/30/2006.
2. ☒ The allowed claim(s) is/are 1-6,8-19,21-25,28,29,31 and 32.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***Reasons for Allowance***

1. Claims 1-6, 8-19, 21-25, 28, 29, 31 and 32 are allowed.
2. The following is an examiner's statement of reasons for allowance:

While Shaughnessy (U.S. Patent No. 5,928,325) discloses a method of dynamically establishing real-time communication of incoming messages to one or more user devices presently available to an intended recipient. A central agent, in response to a detected incoming message, identifies a message recipient, the known user devices associated with the recipient, and the networks servicing the identified user devices. After determined which user devices available, the central agent modified and transformed the incoming message, in accordance with the predetermined rules, before transmitting the message to the available user devices. Shaughnessy does not disclose the sender's user device sends the message only after identification of a message system associated with an address to which the message is to be directed; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

And Bliss (U.S. Patent No. 6,654,789) discloses an accessible electronic system for storing old and new electronic identifiers such as email addresses and for searching and matching the new and old electronic identifiers of an entity. During a registration process a registrant may provide the system with a preferred electronic identifier in addition to a series of functional and/or non-functional electronic identifiers. During a searching process, the system will return the preferred electronic identifier of the registrant. Bliss does not teach sending a message from an originator user device that only after identifying a messaging system associated with a

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preferred address selected by a recipient; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

The prior art of record fails to teach or fairly suggest to one of ordinary skill in the art at the time of the invention, in conjunction with all the other claimed limitations, a method and system for enabling the sending of messages to a recipient via any of a number of messaging systems of different types having all the claimed features of applicant's instant invention, specifically including: sending a message from a user device of an originator to the recipient via the messaging system associated with the preferred address only after identifying at least said messaging system associated with the preferred address, etc., as set forth in the claims.

Also, there is no motivation to combine the Shaughnessy reference with the Bliss reference to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday to Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Thomas Pham**

*Patent Examiner*

A handwritten signature in black ink, appearing to read 'thumpham', with a long horizontal flourish extending to the right.

July 17, 2006